

her capable of something more elevating than discussing the fashion of a bonnet or the style of dresses, or the vulgar gossip of a neighborhood; make it more honorable for her to understand the laws of her country and the principles on which they are founded than to spend her time in reading foolish love stories; let the standard of morality be the same in one sex as the other, do not crush woman for that which is winked at in men; make licentiousness, equally degrading in man as in woman.—And when woman attains her true position in society, if it is thought unfit for her to fill offices of government, and take seats in Congress, she will at least be better prepared to train her sons to fill them with dignity and honor. Sincerely hoping that your efforts may be the means of bringing about a better state of things, we say to you press onward and upward, and may the Giver of every good and perfect gift, grant you wisdom in your deliberations.

In behalf of the Oquaba Union, of Daughters of Temperance.

ELIZA M. YOUNG.

From Mrs. Wilson.

CADIZ, Ohio, May 1st, 1851.

MUCH ESTEEMED FRIENDS AND FELLOW LABORERS: It would give me great pleasure to comply with the invitation, I had the honor of receiving from an esteemed member of your Committee, Mercy L. Holmes, to be personally present at your Convention. I regret to say, circumstances prevent my personal attendance. This need be no matter of regret to any, except myself, as I have a constitutional timidity, strengthened by habits of personal retirement, which unfits me for public business. I cheerfully respond to the request accompanying the invitation of addressing you by letter, if inconvenient to attend.

I will here notice some remarks of Mr. Andrews of Cayahoga, upon the Report of the Committee, on the elective franchise made in the Constitutional Convention. He was in favor of colored men exercising the right of suffrage, but *opposed to women enjoying that right.* When speaking with reference to colored men, he denied that the right of suffrage was one of mere expediency, it was a matter of right, that a man who is the subject of government and shares its burthens, has a right to participate in its administration. That taxation and representation go together. Now, are not women the subjects of government? and is not the property of many unmarried women taxed for its support? From his logic, the elective franchise belongs to women as a right. He says, He does not understand the right of suffrage, to be a natural, or an inalienable right, nor resting on any general declaration of the natural equality of men; and that a majority of the people have a right to restrict it, when circumstances demand. He says, "It is on this principle alone, that the elective franchise is withheld from females." "A majority of the people," but women are not people!! We hold the right of suffrage to be a natural and inalienable right, and so thought our Revolutionary fathers. They say, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness, that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

What rights are governments instituted to secure? These natural and inalienable rights, life, liberty and the pursuit of happiness. And what gives government its just powers? "The consent of the governed," a voice in its administration. It is God that gives our rights.—Government is the *affirming of rights, not the parent.* Sex has nothing to do with rights. Human rights originate, in the mental and moral constitution of man.

According to the principles of the United States Constitution, women are entitled to vote, nor is there any thing in the letter to exclude them. That women have never been permitted to vote, only goes to show mens inconsistencies. That we are to have a voice in all human laws which govern our actions is plain, from our individual accountability. We must see to it, that man's law does not contravene the "higher law."

Mr. Andrews says, "We exclude females from representation in the State, upon considerations of public policy, that look to their position—their happiness—the effect of marriage on their legal rights—and, more than all, to the peace and harmony of the Domestic Relation." "Considerations of public policy, that look to their position!" Here we are left in the dark. We suppose he means, it is the policy of the strong arm of power to reduce women to slavery in kind, and to constitute them servile, dependent vassals, to secure the authority in the hands of the male sex. "Their happiness."—Certainly, this is very compassionate, but we would prefer to judge of our own pursuit of happiness. "The effect of marriage on their legal rights." It is certainly a little funny, we had almost said, silly, to hear men when they speak of women's rights, always fleeing to the marriage relation, just as if every woman was a wife! Thousands of women have no husbands, and some are very extensive property holders. Or in case they are married, will the husband take the wife's place in a State prison? or on the gallows? "And more than all, the peace and harmony of the domestic relation." Here again every woman is considered a wife! More bitter contentions have never arisen in the world, than those which have grown out of religious principles. Would it not be as well to give the husband, all the thinking for the wife in religious matters, to "promote the peace and harmony of the domestic relation?" because their wives would vote for the candidates of their choice. As it is a natural

right women are entitled to it, and must have it, and the God of nature will take care of the consequence. She must be a constituent part of the sovereignty, as God requires of her political duties, "Queens shall be your nursing mothers," Is. 49, 23.

The friends of this reform have great reason to "thank God and take courage." The question is growing fast in interest, and it only needs to be examined to be favorably received. Dear brothers and sisters, I will no longer trespass on your time and patience. May God direct your deliberations. Yours affectionately, in the bonds of the entire brotherhood of the whole human family.

ELIZABETH WILSON.

The Rescue Trials.

At our latest accounts, the Rescue Trials, were still in progress. The Jury unable to agree in the case of Lewis Hayden, were discharged, and Robert Morris, Esq., a respected and talented colored lawyer of Boston, was put upon trial, with deliberate intent by the government, to victimize him to the vengeance of slavery. The most desperate efforts were made to convict Mr. Hayden, by the government lawyers, the Court and some of the witnesses. The government seems determined to humble the entire North into submission by procuring a conviction in Boston.

The different trials are all of the same character, with much of the same testimony. That our readers may understand something of the matter, we have selected from the full reports of the Daily Commonwealth, the following report in part of the testimony—with the charge of the Judge, and the closing passage in Mr. Hales speech for the defence.—As explanatory of some portions of the testimony, we give the following editorial, from the same paper.

From The Commonwealth.

TALLER SWEARING YET.

We noticed yesterday a specimen of "tall swearing" in the case of Hayden, in which the junk merchants, and bowling alley and gambling house keepers—the chief witnesses on the part of the government—had been decidedly outdone by those brothers and associates in the slave-catchery business, Chas. Savin and Geo. T. Curtis.

As matters then stood, and as between Savin and Curtis—the junk dealers being distanced—Savin seemed to have the advantage. But in patriotism and devotion to the Union and the Fugitive Slave Law, Mr. George T. Curtis is not to be outdone by any body, not even by Anger Hole Byrne himself.

Savin had secured up his memory—for though not very good at keeping a prisoner, he is excellent at recollecting and swearing—so as to be able at the end of five months positively to identify Hayden as the man who had spoken to Shadrach, bidding him not to be afraid. Of this he was perfectly certain, though he had not known Hayden at the time; had not recognized him when sent to arrest him; had not recalled this important fact while Hayden was under examination before Hallet; and though that man seemed to him to be two or three shades lighter colored than Hayden now appeared to be.

This was pretty tall swearing, certainly; but Mr. Commissioner Curtis shoots a lead above that. He swore in Scott's case that the man who spoke to Shadrach was a "tall light-complexioned colored man." Called on Thursday on the strength of this previous explicit testimony, he swore that the man referred to was just about Hayden's complexion, (and Hayden is nearly if not quite of pure African blood), but whether the man was Hayden or not he could not tell! Called again yesterday for the government, he swore that the inclination of his belief was that the man was Hayden! Stand down Byrnes & Savin! Go up Mr. Curtis. If you don't get an office for that, then republics are ungrateful.

If the memories of Savin & Curtis should continue to grow at this rate, the chance of the prisoners at the foot of the docket must be poor indeed. In fact, who can tell what may happen in this very case should the government, which is not unlikely, be allowed to re-open it for a second time after the argument is closed. By that time, perhaps, Savin & Curtis may be able to make some important modification of their testimony.—But the government must not put too much reliance on this sort of evidence. It is too much like Jonah's gourd, which sprung up in one night, but when the sun rose, withered away.

U. S. DISTRICT COURT.

TRIAL OF LEWIS HAYDEN.

George Lunt, N. J. Lord for the government; John P. Hale, R. H. Dans, Jr., for the defence.

Mr. Lord opened for the defence. He explained the provisions of the law upon which the indictment is framed. He said the government expects to prove the following facts, viz:—That Shadrach was once a slave; that he escaped and was pursued by one Caplart who made due complaint before a Commissioner; that a warrant was issued, Shadrach arrested, a hearing had, and the case was postponed for three days; that he was in the custody of Deputy Marshal Riley in this court room; that the room was cleared of all persons except a few who represented themselves as the prisoner's counsel; that Shadrach was taken from the room by force and was taken direct to Hayden's house; that Hayden was heard to say in the court house that he would aid the prisoner to escape; that he told the prisoner so; that Hayden addressed the crowd on the way to his house, saying, "If you want the man to escape you must keep back."

Twelve witnesses for the Government were now called and sworn.

John De Bree—Reside in Norfolk, Va. have lived there thirty years and upward.

Mr. Lord—Did you know a person in Virginia named Shadrach, in 1850, who was a slave?

Mr. Hale took exception to the question. He wished to do so thus early to prevent mistakes throughout the case. There are persons in Virginia not recognised as property. A witness has no right therefore to say that a man is a slave until he is proved

so. Such evidence is utterly incompetent; Shadrach should not be proved a slave in this way, by the simple say so of any man, but by the representation of such facts, combined, as shall go to make him a slave under the laws of Virginia.

The Court would consider the objections. The government was allowed to proceed.

De Bree continued.—Shadrach was my slave, without qualification; he was what we call here, a colored man; a mulatto and a negro complexion. [The witness testified the same as in Scott's case.]

John Caplart the officer sent by De Bree in pursuit of Shadrach was next called and testified to the same facts as in the previous case.

In Cross Examination witness was asked if he ever had anything to do with a certain slave hunt in 1850, in Wisconsin.

The Court inquired how such a question could be shown as pertinent to this case.

Mr. Hale replied that they wished to show what the witness's occupation has been.

The Court ruled that it would be proper to make such inquiries of the witness as would bring out the fact of his occupation.

Mr. Dana then asked the same question as before.

Caplart replied that he had something to do with the order of the Mayor of Norfolk to go to Wisconsin and arrest some two hundred whites and blacks and if permitted he would tell what part he took in the matter.

The Court thought such a history unnecessary, and therefore ruled it out.

George T. Curtis swore that he was a United States Commissioner and that Shadrach was brought before him for examination. [The witness also testified the same as in Scott's case.]

John Clark—An reporter for one of the Boston papers; attended a meeting last October, at which Lewis Hayden presided, in Belpash street church; several speeches were there made,—a dozen, I should think.

Mr. Lord—What was the nature of these speeches, as bearing upon the Fugitive Slave Law, &c.?

Mr. Dana objected strenuously, against such interrogatories, and appealed to the Court to make a stand here, and a final one as to what evidence the government should introduce. He contended with ability for the right of individuals, white or colored, in their social and political relations, in public meetings or otherwise, to express their free opinions upon matters of general interest.

He urged upon the Court not to allow the breaking down of this personal right.

Mr. Lord replied that the question was one of law, and therefore proper to be put. He wished to show that the defendant was the presiding officer of a meeting that used the most incendiary language in regard to the fugitive law and all who should carry it into effect. The government has a right to enter all reasonable meetings, and make those prisoners who are present, even if by presence alone they encourage the object of the meeting.

Mr. Hale said, the learned counsel on the other side had underlined from the report, that it was simply whether the government had the right to put in the character of speeches at a public meeting to bear upon the alleged guilt of a party to a rescue that took place five or six months subsequently.

Mr. Lunt said, it was not that the defendant presided at a certain meeting, or was present at it, but whether the meeting was called for the express purpose of resisting, at all hazards, the very law under which, in part, he is now indicted.

Sprague, Justice, ruled that if the government merely intended to show that the defendant was present at meetings at which a course of resistance to the law was arranged, the testimony was admissible.

Mr. Clark continued.—I sat near the President at that meeting; Messrs. Snell and Snowden were Secretaries; certain resolutions were adopted by the meeting, a synopsis of which was handed me by the Secretaries.

Mr. Lord. What was the purport of those resolutions?

Mr. Dana rose to object to the questions that were being asked, when at the suggestion of the Court he gave way, being assured that his objections should be fully considered. The further examination of this witness was postponed.

George Greenleaf, one of the reporters of the Times, was next called to testify as to what he heard Mr. James N. Buffum, of Lynn, say to Mr. Hayden in the Marshal's office when the latter was arrested.

Mr. Dana objected, on the ground that such testimony did not bear upon the case.

The Court ruled the testimony in.

Witness continued. Buffum remarked to Hayden—"I did not think of you—I always thought you was a pretty clever fellow."

Mr. Hayden replied smiling, "You know it takes a pretty clever fellow to do such an act."

Cross Examination, Mr. Buffum was not smiling at the time, but I thought he looked quite blank; Hayden smiled.

Samuel Lansing called. I reside in Nashua street; Hayden, the defendant, lived in South street in a block in which I lived 18 years. There is an alley way running along the rear of said block; the South street church is within hearing distance of Hayden's house.

No cross examination.

Charles Savin called, was an officer in this court when Shadrach was arraigned; saw Hayden back of the further railing before the room was cleared; heard him say to Shadrach, "Fred, don't be afraid we will stand by you till death; Hayden's dress was different now from what it was then; I did not then know him; first knew his name when he was brought into court to be examined on the present charge; then recognised him as the man who made the remark."

Cross Examination. Am a U. S. Deputy Marshal; am certain Hayden is the man, although he was then two or three shades lighter than now. I noticed that his forehead was peculiarly shaped; that his lip hung down, and that he looked savage.

FOR THE DEFENDANT.

John Randolph called.—Have lived in Boston about one year; occupation a waiter; have done nothing since last Christmas; I at that time commenced boarding with Lewis Hayden; on the day of the rescue I was at home learning to read; heard a noise; went to the front door of Mr. Hayden's house and saw people crossing Grove street in South street; I saw a crowd presently and went

out on the side walk; I saw in the crowd a man that I knew, his name was Shadrach; I was acquainted with him; he has called upon me; the last I saw of the crowd it went down South street; I did not know any person in the crowd; several persons had hold of Shadrach; I did not see Mr. Hayden any where about; am sure that neither of the men having hold of Shadrach was Hayden; Shadrach was not in Mr. Hayden's house to my knowledge, after his arrest; I usually went to bed at 10 o'clock; I was usually about the house as much as Mr. Hayden himself; Mr. Hayden was at home to dinner about fifteen minutes past two o'clock on the day of the rescue.

Cross Examination.—There were two or three in the rescue crowd who had on oil cloth jackets and tar-paulin hats; I was not in the Court room on the day of the rescue.

Mr. Lord—Did you not speak to Shadrach when you saw him in the hands of the crowd?

Witness—I did not.

Mr. Lord—Did you not think he required some assistance?

Witness—I don't know that I thought anything about it at the time.

Mr. Lord—Didn't you suppose something was the matter with him?

Witness—I had my suspicions that something was going on.

Mr. Lord—Then why did you not speak to him?

Witness—Because he appeared to be in a great hurry, and it is against my principles to stop a man when he is in a hurry! [Great laughter.]

Mr. Lord—Mr. Witness, have you been indicted for violating the Fugitive Slave Law?

Witness—I have not.

Mr. Lord—Have you not been indicted for assaulting an officer appointed to execute this law?

Witness—I was arrested and brought before the Municipal Court, and charged with assaulting a man-catcher, and was fined five dollars.

Mr. Lord—That is all, Mr. Witness.

Mr. Dana—Stop one moment, Mr. Randolph. Won't you inform the Jury whether you have or have not commenced an action against the prosecutor in that case?

Witness—I have.

Mr. Lord, [severely.] Will you also tell the Jury whether you or somebody else for you brought that action?

Witness—I brought it myself. [Laughter.]

Marcus Morton, Jr., called.—Was in the Court room on the day of Shadrach's examination and heard some person say "Don't be afraid, Fred, we will stand by you," the person was not Hayden, the defendant.

George T. Curtis.—The remark to which I testified when on the stand before, was "Don't be afraid, we will stand by you," he was about the same complexion of Hayden; he was rather a tall man; couldn't say that Hayden was the man.

Sammel May, Jr.—Have resided the most of the past year in Boston; was in the Court room at the examination of Shadrach; I heard a very rash remark made by a tall light complexion colored man to the prisoner on that day; he reached over the back rail and said "Don't be afraid, we will stand by you," I am well acquainted with Lewis Hayden; the man who made the remark was not Mr. Hayden; I am certain of that.

Mr. Jackson—Member of Suffolk Bar; was in the Court room the morning of the examination of Shadrach; I was setting looking at Shadrach when I heard a man say in a loud tone, "Don't be afraid, we will stand by you," I am quite confident that Hayden was not the man who made the remark; the person was several shades lighter than Hayden; I had a good view of him.

Cross examination—I never saw Hayden until yesterday; I am quite confident that Mr. Hayden is not the man who made the remark.

Lunt—Mr. Witness don't you know that the complexion of colored men changes one or two shades lighter when they are mad.

Witness—I do not.

Dana—Mr. Lunt, I should like to call you as a witness if you will testify to that under oath.

Mr. Lunt objected.

James N. Buffum of Lynn, affirmed.—Was not in the Court room at the examination of Shadrach; I was at 21 Cornhill at the time of the arrest of Wm. Hayden; Savin made the arrest; when he came in three colored men were sitting together; he did not know Hayden, he inquired if he was present; Mr. Hayden rose and said, I am the man; they went to the Marshal's office; I immediately followed with a friend; was requested to become his bail and did so; Mr. Hallet was there, and while we were waiting for Mr. Lunt to come in, a conversation occurred; Mr. Hallet said he believed he used to know me; I replied yes, I used to know you well in old times, some 15 years ago, when you did such good service in rebuking Mr. Lunt, the prosecuting attorney, for his pro-slavery conduct in the Legislature. [Great laughter by Bench and Bar.]

Mr. Lunt—May it please your Honor this testimony is introduced for no other purpose than to insult the prosecuting officer.

Mr. Hale—May it please the Court, I can see no reason why the whole conversation should not be introduced, if the witness deems it necessary to relate it to get at the fact desired.

Sprague, J.—I think the testimony is admissible. The witness can proceed.

Witness—Oh! replied Mr. Hallet, that was when Lunt assailed the freedom of speech, but I always went for sustaining the laws of the country.

I replied that I not only thought the Fugitive Slave Law assailed freedom of speech but the freedom to discharge our most sacred obligations to our fellow men; something was then said about prayer, and somebody—I think Mr. Gill of the Post—said that the ministers—

Sprague, J.—Mr. Witness, won't you come to the main fact without reciting all this conversation, which seems to have no bearing upon the case.

Witness—I said to Hayden, "I did not think you would get into trouble—I always thought you was a clever fellow," he said, "Why, you know it takes a clever fellow to get into trouble now days," my remark was matter of joke; that is, we were all joking together.—Mr. Hallet and all present.

Cross examination—I was not in the Court room, at the examination of Shadrach.

Lord—Did you know of the rescue of Shadrach?

Witness—I heard of it two hours after it took place.

Lord—Did you see Shadrach on the day of the rescue?

Witness—I did not.

Lord—Did you see him during that night?

Witness—No.

Lord—Did you see him within forty-eight hours?

Witness—I think I did see a man within that time said to be Shadrach.

Lord—Where did you see him?

Witness—On the road to Canada.

Lord—What part of the road?

Witness—In the vicinity of Fitchburg.

Lord—Was you with him?

Witness—No. I had an engagement of some weeks standing to go to a certain town to lecture, and was told after the lecture that Shadrach had been present at a part of the evening dressed in woman's clothes.

Lord—Did you know that he was present?

Witness—The Bloomer costume not having been adopted at that time, there was nothing to designate one person in female attire from another.

Lord—Where was this place that you lectured?

Witness—I presume I could tell if I should refer to my minutes.

Lord—Well, sir, won't you be kind enough to tell us?

Witness—I believe the name of the town is Leominster.

Lord—Have you seen him since that time, or heard from him.

Witness—I have not seen or heard from him since I left Leominster, only what I have read in the papers that he is in Canada.

Lord—Do you say, Mr. Witness, that the conversation you had with Hayden in the Marshal's office was a matter of jest.

Witness—Yes, we were all joking together, for instance somebody remarked, I think it was Gill of the Post, that ministers ought to be indicted for praying against the fugitive Slave Law. Mr. Hallet remarked that he would make one exception to that in favor of Theodore Parker, as he did not believe that gentleman had much influence with the court of Heaven. [General laughter in which the Court joined.]

Mr. Lunt—Mr. Witness do you remember one thing that you said to me in particular.

Witness—I do not distinctly remember.

Lunt—Do you remember that you said you thought I was driving matters too hard?

Witness—Yes, I do; and that you said you cared more about catching some of the white ones than the negroes.

Lunt, [Turning pompously round and looking at the audience.]—That's it. Now did I ever have one word of conversation with you on any subject, before that time in the Marshal's office?

Witness—I don't know that I ever did have any conversation with you before or since, until now.

Lunt—Was you joking when you spoke to me?

Witness—No.

Lunt—Was I joking when I spoke to you?

Witness—No. Let me explain. The conversation that I had with you was all after, and had no connection with, that which I had with Hayden, Hallet and Gill.

J. M. W. Yerrington—Lives in Chelsea; have lived in Boston 20 years; was in the Court room on the day of the arrest of Shadrach; heard a remark made to Shadrach, "Don't be afraid, we will stand by you," saw the person who said it; am sure it was not Lewis Hayden; I am well acquainted with Hayden; this was after the adjournment; think the Commissioner had left the bench.

Geo. B. West, member of Suffolk Bar, testified in substance the same as last witness.

JUNE 2d.—Court came in at ten minutes past 9 o'clock.

Dr. Hanson, recalled.—Cross-examination resumed, but nothing important elicited.

Edward J. Jones—Am an officer of this Court; came here on the day of the rescue of Shadrach at the request of Marshal Devens to help clear the room; heard a man say to the prisoner, "Don't be afraid, we will stand by you to the death," I thought yesterday that I knew the man who made the remark, but I was mistaken; I thought I recognized Griffin as the man, but I know it was not him; Griffin and the man who made the remark looks as much alike as any two can look.

[Griffin is the man who is employed by Warren & Co., dry goods dealers, on Washington street; is a man of gigantic build; quite tall and about the same complexion of Hayden.]

REBUTING TESTIMONY FOR GOVERNMENT.

Ellis Wright, recalled. Heard the testimony of Mr. Curtis yesterday; I do not wish to change my testimony. I heard the testimony of Calvin T. Moody, but do not wish to make any change in my testimony in consequence of that.

Mr. Lunt announced to the court that he had just learned of the existence of two very important witnesses, who would testify to facts which were perfectly surprising to him. He therefore moved the court for time to procure those witnesses.

Mr. Hale said he was not surprised at the motion of the learned District Attorney, if that gentleman himself was surprised at what his new witness would testify to. He hoped the Court would not vary from the usual course in such cases, and allow this case to be opened again. He had no doubt there were more witnesses. In a city like Boston witnesses could always be had as long as wanted. The demand causes the supply. This learned counsel said he hoped the perils of the city would not be secured further; that the Court would not allow Government to levy upon the junk dealers and bowling saloons of the city again, for the purpose of securing up witnesses to swear against the defendant.

Mr. Lunt said he considered a great portion of what the counsel for defence has said as entirely beneath his notice; he cited several instances where testimony, newly discovered, as in this case, had been admitted, and named several distinguished members of the Bench and Bar in Massachusetts whom he consulted, and had expressed the opinion that it would be perfectly proper and legal so to do.

The Court ruled that any newly discovered testimony could be properly introduced.

THE JUDGE'S CHARGE TO THE JURY.

At five minutes past twelve the Judge began his charge by denouncing in the most emphatic terms, the "mischievous notion" that the jury are to judge of the law as well as of the facts, which he declared to be an usurpation of

legislative functions belonging to a very different body. The question that had been raised, as to whether Shadrach was a slave or not, was of no consequence with regard to the last three counts of the indictment, under which he was tried; as the offence therein charged was the rescue of a prisoner from legal custody, in violation of the law of 1790. That Shadrach was in such a custody, was not contested. It was for the jury, then to judge whether Lewis Hayden had any share in taking him from that custody, and if so, they must find him guilty on the last three counts. He was guilty if he had participated in, aided or encouraged the rescue, at any time or at any place—whether in the Court House or out of it, in Boston or in Cambridge.

With regard to the first thirteen Counts, the judge said the question was, not whether there were slaves in Massachusetts, but in Virginia.—That there were slaves, or persons held to service and labor in Virginia was not disputed.—Was then, the prisoner Shadrach, one of those persons? Was he a slave? The testimony of DeBree and Caplart, he thought proved conclusively that he was. If Hayden, therefore, had participated in any way in his rescue he was guilty under the law of 1850—the fugitive slave act. The verdict of the jury